

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff
vs.
JODIE TAYLOR,
Defendant

NO.: CR08-00082 RBL

DEFENDANT'S SENTENCING
MEMORANDUM: SUPERVISED
RELEASE VIOLATIONS

INTRODUCTION

Comes now the defendant, Jodie Taylor, by and through his attorney of record, Michael E. Schwartz and presents the following sentencing memorandum for the court's consideration at the defendant's disposition hearing on violations of his supervised release, currently scheduled for Friday, December 16, 2011 at 1:30 p.m. before the Honorable Robert S. Lasnik, United States District Court Judge.

SENTENCE

Jodie Taylor was sentenced on September 10, 2009, before the Honorable Robert S. Lasnik, United States District Court Judge, to 42 months imprisonment, to be followed by a three year term of supervised release. The court imposed special conditions, to include, participation in substance

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abuse treatment and testing, as well as abstain from the use of alcohol and other intoxicants. Mr. Taylor's term of supervised release commenced on April 12, 2011.

VIOLATIONS

Mr. Taylor was arrested on November 1, 2001, and appeared before the Honorable Brian Tsuchida, United State Magistrate Judge. He pleaded not guilty to the violations and was ordered detained. The six violations alleged include: 1) Using alcohol on July 4, 2011; 2) Failing to participate in a substance abuse assessment; 3) Using cocaine on August 11, 2011; 4) Failing to complete the detoxification program at Recovery Centers of King County; 5) Failing to provide a urine sample on October 15, 2011; and 6) Failing to report as directed to the Probation Office on October 24, 2011.

The parties have agreed that Mr. Taylor will admit to violations 2, 3, and 6. In return, the Government has agreed to dismiss the remaining violations. Disposition is scheduled for December 16, 2011 before Judge Lasnik.

DEFENDANT RECOMMENDATION

Mr. Taylor is in agreement with the Probation Office' recommendation articulated in its report of December 9, 2011, with one exception. That is, Mr. Taylor asks this court to order that he be placed on electronic home confinement for a period of ninety (90) days, as opposed to the recommendation of 120 days by the Probation Office.

Mr. Taylor wishes for the court to know several salient facts when determining the appropriate sanction for the admitted violations: Mr. Taylor has admitted he has a substance abuse problem. He desires to address it, and is intent on being clean and sober. His family is also supportive of that. He checked himself into King County Recovery Center, without being told to do

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1 so by probation. He did not finish the detoxification program because he felt that the medication he
2 was being given was making him "high," rather than addressing his addiction. He voluntarily
3 refused further prescriptions from his dentist for pain-killers, even though botched dental work has
4 caused him considerable pain. Finally, Mr. Taylor wishes for the court to know he fully understands
5 that the period of supervision is designed, in part, to help him succeed. His hope is that he will be
6 successful, and a productive member of this community.

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10 RESPECTFULLY SUBMITTED December 14, 2011.

11 LAW OFFICES OF MICHAEL SCHWARTZ, INC.

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13 By: _____/s/
14 MICHAEL E. SCHWARTZ, WSBA #21824
15 Attorney for Defendant
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CERTIFICATE OF SERVICE

1 I hereby certify that on Wednesday, December 14, 2011, I electronically filed the foregoing
2 with the Clerk of the Court using the LINX system which will send notification of such filing to
3 each participant in this case and a copy was mailed to the defendant via U.S. Postal Service.
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